

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/632,392	MORAES ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	NEIL KARDOS	3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed on October 13, 2011.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-25,27-45,47,50,53-82,84-103,105,108,111-140,142-160,162,165,168-197,199-217,219,222,225-229 and 271-274.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20111219A</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                          |
|  | 9. <input type="checkbox"/> Other ____.   |

/Neil R. Kardos/  
Primary Examiner, Art Unit 3623

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**DETAILED ACTION**

The following Office Action is a response to communications filed on October 13, 2011. Claims 1, 2, 6, 7, 27-34, 45, 47, 50, 53-55, 58, 59, 63, 64, 84-92, 103, 105, 108, 111-113, 116, 117, 121, 122, 142-149, 160, 162, 165, 168-170, 173, 174, 178, 179, 199-206, 217, 219, 222, 225-227 and 271-274 have been amended by examiner's amendment. Claims 26, 46, 48, 49, 51, 52, 83, 104, 106, 107, 109, 110, 141, 161, 163, 164, 166, 167, 198, 218, 220, 221, 223, 224 and 230-270 have been cancelled by examiner's amendment. Currently, claims 1-25, 27-45, 47, 50, 53-82, 84-103, 105, 108, 111-140, 142-160, 162, 165, 168-197, 199-217, 219, 222, 225-229, 271-274 are pending and have been allowed. This action includes an examiner's amendment and reasons for allowance.

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kamran Vakili on December 16, 2011.

The application has been amended as follows:

**Cancelled claims**

Claims 26, 46, 48, 49, 51, 52, 83, 104, 106, 107, 109, 110, 141, 161, 163, 164, 166, 167, 198, 218, 220, 221, 223, 224 and 230-270, are cancelled by this examiner's amendment.

**Amended claims**

Claims 1, 2, 6, 7, 27-34, 45, 47, 50, 53-55, 58, 59, 63, 64, 84-92, 103, 105, 108, 111-113, 116, 117, 121, 122, 142-149, 160, 162, 165, 168-170, 173, 174, 178, 179, 199-206, 217, 219, 222, 225-227 and 271-274 are amended by this examiner's amendment as follows:

1. (Currently Amended)      A creative work evaluating processor-implemented method, comprising:

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providing, via a processor, an offer to compete in a creative works competition by a first user, wherein the offer to compete includes ~~dynamically specified first user variable~~ parameters that specify a second user as a potential competitor, a permitted type of creative work to be evaluated in the competition, a permitted length of the creative works to be evaluated in the competition, a submission deadline for competitors to submit creative works, and voting parameters ~~competition rules, and rules governing the evaluation of the creative work by an audience;~~

obtaining, via the processor, an acceptance to the offer to compete from the second user ~~potential competitor;~~

~~pairing via the processor a plurality of competitors providing an indication evincing a desire to be evaluated;~~

receiving, via the processor, obtaining a creative work from each paired competitor the first user and the second user after determining: (a) that the creative works from the first user and the second user match the permitted type of creative work specified by the first user in the offer to compete, (b) that the creative works from the first user and the second user do not exceed the permitted length specified by the first user in the offer to compete, and (c) that the creative works from the first user and the second user were submitted before the submission deadline specified by the first user in the offer to compete;

providing, via the processor, the creative works from the first user and the second user ~~paired competitors for evaluation~~ to ~~[[the]]~~ an audience;

obtaining, via the processor, votes from members of the audience experiencing the creative works of the first user and the second user;

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totaling, via the processor and in response to the voting parameters specified by the first user in the offer to compete being satisfied, votes for each creative work[[.]];

determining, based on the totaled votes for each creative work, a winner of the creative works competition between the first user and the second user;

updating a rating for the first user and the second user based on the following formula:

$$R_n = R_o + K ( W - ( 1 / ( 1 + 10^{D/S} ) ) ), \text{ wherein:}$$

R<sub>n</sub> represents the updated rating;

R<sub>o</sub> represents a rating for the user before the creative works competition;

K represents a predetermined weighting factor that rewards more rating points to users with lower R<sub>o</sub> values;

W represents the outcome of the creative works competition and rewards more rating points to a user for a win than for a tie, and more points for a tie than a loss;

D represents the absolute difference between R<sub>o</sub> values for the first user and the second user; and

S represents a predetermined value that weights the difference between R<sub>o</sub> values for the first user and the second user; and

ranking the first user and the second user along with a plurality of other users according to the updated ratings.

2. (Currently Amended) The method of claim 1, wherein the ~~evaluation~~ creative works competition is a tournament.

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6. (Currently Amended) The method of claim 1, further comprising, selecting potential competitors for the offer to compete ~~evaluation~~, prior to providing the offer to compete.

7. (Currently Amended) The method of claim 6, wherein selection for ~~an evaluation~~ the offer to compete is limited by qualification.

27. (Currently Amended) The method of claim 1, wherein the ~~indication~~ acceptance of the offer to compete is configured as a request to issue an offer to compete.

28. (Currently Amended) The method of claim 1, wherein ~~none of the paired competitors~~ the first user and the second user may not view one another's creative works until the creative works are ready for ~~evaluation by an~~ providing to the audience.

29. (Currently Amended) The method of claim 1, wherein ~~paired competitors~~ the first user and the second user have a limited time in which to provide creative works.

30. (Currently Amended) The method of claim 1, wherein ~~paired competitors~~ the first user and the second user may employ feedback from audience members to update their creative work.

31. (Currently Amended) The method of claim 1, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired at random.

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32. (Currently Amended) The method of claim 1, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired in a round-robin manner.

33. (Currently Amended) The method of claim 1, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through hand-selection.

34. (Currently Amended) The method of claim 1, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through the issuance of an offer to compete and the acceptance of the offer to compete.

45. (Currently Amended) The method of claim 1, wherein the audience ~~members provide~~ provides feedback to ~~paired competitors~~ the first user and the second user.

47. (Currently Amended) The method of claim [[46]] 1, wherein the winner is provided to [[an]] the audience.

50. (Currently Amended) The method of claim [[48]] 1, wherein rankings are adjusted for creative works.

53. (Currently Amended) The method of claim [[48]] 1, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on current rankings of the creative works.

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54. (Currently Amended) The method of claim [[48]] 1, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on the format of the creative works.

55. (Currently Amended) The method of claim [[48]] 1, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on criteria stored in a database.

58. (Currently Amended) A creative work evaluating processor-implemented system, comprising:

means to provide an offer to compete in a creative works competition by a first user, wherein the offer to compete includes ~~dynamically first user variable~~ parameters that specify a second user as a potential competitor, a permitted type of creative work to be evaluated in the competition, a permitted length of the creative works to be evaluated in the competition, a submission deadline for competitors to submit creative works, and voting parameters ~~and competition rules, and rules governing the evaluation of the creative work by an audience;~~

means to obtain an acceptance to the offer to compete from the second user ~~potential competitor;~~

~~means to pair a plurality of competitors providing an indication evincing a desire to be evaluated;~~



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means to ~~receive obtain~~ a creative work from ~~each paired competitor~~ the first user and the second user after determining: (a) that the creative works from the first user and the second user match the permitted type of creative work specified by the first user in the offer to compete, (b) that the creative works from the first user and the second user do not exceed the permitted length specified by the first user in the offer to compete, and (c) that the creative works from the first user and the second user were submitted before the submission deadline specified by the first user in the offer to compete;

means to provide the creative works from the first user and the second user ~~paired competitors~~ for evaluation to [[the]] an audience;

means to obtain votes from members of the audience experiencing the creative works of the first user and the second user;

means to total, via a processor and in response to the voting parameters specified by the first user in the offer to compete being satisfied, votes for each creative work[[.]];

means to determine, based on the totaled votes for each creative work, a winner of the creative works competition between the first user and the second user;

means to update a rating for the first user and the second user based on the following formula:

$$R_n = R_o + K (W - (1 / (1 + 10^{D/S}))), \text{ wherein:}$$

$R_n$  represents the updated rating;

$R_o$  represents a rating for the user before the creative works competition;

$K$  represents a predetermined weighting factor that rewards more rating points to users with lower  $R_o$  values;

$W$  represents the outcome of the creative works competition and rewards more rating points to a user for a win than for a tie, and more points for a tie than a loss;

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D represents the absolute difference between  $R_o$  values for the first user and the second user; and

S represents a predetermined value that weights the difference between  $R_o$  values for the first user and the second user; and

means to rank the first user and the second user along with a plurality of other users according to the updated ratings.

59. (Currently Amended) The system of claim 58, wherein the ~~evaluation~~ creative works competition is a tournament.

63. (Currently Amended) The system of claim 58, further comprising, means to select potential competitors for the offers to compete ~~evaluation~~, prior to providing the offer to compete.

64. (Currently Amended) The system of claim 63, wherein selection for ~~an evaluation~~ the offer to compete is limited by qualification.

84. (Currently Amended) The system of claim 58, wherein the ~~indication~~ acceptance of the offer to compete is configured as a request to issue an offer to compete.

85. (Currently Amended) The system of claim 58, wherein ~~none of the paired competitors~~ the first user and the second user may not view one another's creative works until the creative works are ready for ~~evaluation by an~~ providing to the audience.

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86. (Currently Amended) The system of claim 58, wherein ~~paired competitors~~ the first user and the second user have a limited time in which to provide creative works.

87. (Currently Amended) The system of claim 58, wherein ~~paired competitors~~ the first user and the second user may employ feedback from audience members to update their creative work.

88. (Currently Amended) The system of claim 58, wherein ~~paired competitors~~ the first user and the second user may employ feedback from audience members to update their creative work.

89. (Currently Amended) The system of claim 58, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired at random.

90. (Currently Amended) The system of claim 58, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired in a round-robin manner.

91. (Currently Amended) The system of claim 58, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through hand-selection.

92. (Currently Amended) The system of claim 58, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through the issuance of an offer to compete and the acceptance of the offer to compete.

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103. (Currently Amended) The system of claim 58, wherein the audience ~~members provide~~ provides feedback to paired competitors the first user and the second user.

105. (Currently Amended) The system of claim [[104]] 58, wherein the winner is provided to [[an]] the audience.

108. (Currently Amended) The system of claim [[106]] 58, wherein rankings are adjusted for creative works.

111. (Currently Amended) The system of claim [[106]] 58, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on current rankings of the creative works.

112. (Currently Amended) The system of claim [[106]] 58, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on the format of the creative works.

113. (Currently Amended) The system of claim [[106]] 58, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on criteria stored in a database.

116. (Currently Amended) A non-transitory computer-readable medium readable by a processor to evaluate a creative work, comprising:

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instructions stored in the processor readable medium, wherein the instructions are issuable by the processor to:

provide an offer to compete in a creative works competition by a first user, wherein the offer to compete includes ~~dynamically first user variable~~ parameters that specify a second user as a potential competitor, a permitted type of creative work to be evaluated in the competition, a permitted length of the creative works to be evaluated in the competition, a submission deadline for competitors to submit creative works, and voting parameters ~~competition rules, and rules governing the evaluation of the creative work by an audience;~~

obtain an acceptance to the offer to compete from the second user ~~potential competitor;~~  
~~pair a plurality of competitors providing an indication evincing a desire to be evaluated;~~  
receive obtain a creative work from ~~each paired competitor~~ the first user and the second user after determining: (a) that the creative works from the first user and the second user match the permitted type of creative work specified by the first user in the offer to compete, (b) that the creative works from the first user and the second user do not exceed the permitted length specified by the first user in the offer to compete, and (c) that the creative works from the first user and the second user were submitted before the submission deadline specified by the first user in the offer to compete;

provide the creative works from the first user and the second user ~~paired competitors~~  
~~for evaluation~~ to ~~[[the]]~~ an audience;

obtain votes from members of the audience experiencing the creative works of the first user and the second user;

total, in response to the voting parameters specified by the first user in the offer to compete being satisfied, votes for each creative work~~[[.]]~~;

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determine, based on the totaled votes for each creative work, a winner of the creative works competition between the first user and the second user;

update a rating for the first user and the second user based on the following formula:

$$R_n = R_o + K ( W - ( 1 / ( 1 + 10^{D/S} ) ) ), \text{ wherein:}$$

$R_n$  represents the updated rating;

$R_o$  represents a rating for the user before the creative works competition;

$K$  represents a predetermined weighting factor that rewards more rating points to users with lower  $R_o$  values;

$W$  represents the outcome of the creative works competition and rewards more rating points to a user for a win than for a tie, and more points for a tie than a loss;

$D$  represents the absolute difference between  $R_o$  values for the first user and the second user; and

$S$  represents a predetermined value that weights the difference between  $R_o$  values for the first user and the second user; and

rank the first user and the second user along with a plurality of other users according to the updated ratings.

117. (Currently Amended) The medium of claim 116, wherein the ~~evaluation~~ creative works competition is a tournament.

121. (Currently Amended) The medium of claim 116, further comprising,

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select potential competitors for the offer to compete ~~evaluation~~, prior to providing the offer to compete.

122. (Currently Amended) The medium of claim 121, wherein selection for ~~an evaluation~~ the offer to compete is limited by qualification.

142. (Currently Amended) The medium of claim 116, wherein the ~~indication~~ acceptance of the offer to compete is configured as a request to issue an offer to compete.

143. (Currently Amended) The medium of claim 116, wherein ~~none of the paired competitors~~ the first user and the second user may not view one another's creative works until the creative works are ready for ~~evaluation by an~~ providing to the audience.

144. (Currently Amended) The medium of claim 116, wherein ~~paired competitors~~ the first user and the second user have a limited time in which to provide creative works.

145. (Currently Amended) The medium of claim 116, wherein ~~paired competitors~~ the first user and the second user may employ feedback from audience members to update their creative work.

146. (Currently Amended) The medium of claim 116, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired at random.

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147. (Currently Amended) The medium of claim 116, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired in a round-robin manner.

148. (Currently Amended) The medium of claim 116, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through hand-selection.

149. (Currently Amended) The medium of claim 116, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through the issuance of an offer to compete and the acceptance of the offer to compete.

160. (Currently Amended) The medium of claim 116, wherein the audience ~~members provide~~ provides feedback to ~~paired competitors~~ the first user and the second user.

162. (Currently Amended) The medium of claim ~~[[161]]~~ 116, wherein the winner is provided to ~~[[an]]~~ the audience.

165. (Currently Amended) The medium of claim ~~[[163]]~~ 116, wherein rankings are adjusted for creative works.

168. (Currently Amended) The medium of claim ~~[[163]]~~ 116, wherein ~~rankings~~ ranking the first user and the second user ~~[[are]]~~ is also based on current rankings of the creative works.



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169. (Currently Amended) The medium of claim ~~[[163]] 116~~, wherein ~~rankings~~ ranking the first user and the second user ~~[[are]] is~~ also based on the format of the creative works.

170. (Currently Amended) The medium of claim 163, wherein ~~rankings~~ ranking the first user and the second user ~~[[are]] is~~ also based on criteria stored in a database.

173. (Currently Amended) An apparatus to evaluate a creative work, comprising:

a memory, the memory for storing instructions;

a processor that may issue a plurality of processing instructions stored in the memory, wherein the processor issues instructions to:

provide an offer to compete in a creative works competition by a first user, wherein the offer to compete includes ~~dynamically first user variable~~ parameters that specify a second user as a potential competitor, a permitted type of creative work to be evaluated in the competition, a permitted length of the creative works to be evaluated in the competition, a submission deadline for competitors to submit creative works, and voting parameters ~~competition rules, and rules governing the evaluation of the creative work by an audience;~~

obtain an acceptance to the offer to compete from the second user ~~potential competitor;~~

~~pair a plurality of competitors providing an indication evincing a desire to be evaluated;~~

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~~receive~~ ~~obtain~~ a creative work from ~~each paired competitor~~ the first user and the second user after determining: (a) that the creative works from the first user and the second user match the permitted type of creative work specified by the first user in the offer to compete, (b) that the creative works from the first user and the second user do not exceed the permitted length specified by the first user in the offer to compete, and (c) that the creative works from the first user and the second user were submitted before the submission deadline specified by the first user in the offer to compete;

provide the creative works from the first user and the second user ~~paired competitors~~ for evaluation to [[the]] an audience;

obtain votes from members of the audience experiencing the creative works of the first user and the second user;

total, in response to the voting parameters specified by the first user in the offer to compete being satisfied, votes for each creative work~~[[.]]~~;

determine, based on the totaled votes for each creative work, a winner of the creative works competition between the first user and the second user;

update a rating for the first user and the second user based on the following formula:

$$R_n = R_o + K (W - (1 / (1 + 10^{D/S}))), \text{ wherein:}$$

$R_n$  represents the updated rating;

$R_o$  represents a rating for the user before the creative works competition;

$K$  represents a predetermined weighting factor that rewards more rating points to users with lower  $R_o$  values;

$W$  represents the outcome of the creative works competition and rewards more rating points to a user for a win than for a tie, and more points for a tie than a loss;

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D represents the absolute difference between  $R_o$  values for the first user and the second user; and

S represents a predetermined value that weights the difference between  $R_o$  values for the first user and the second user; and

rank the first user and the second user along with a plurality of other users according to the updated ratings.

174. (Currently Amended) The apparatus of claim 173, wherein the ~~evaluation~~ creative works competition is a tournament.

178. (Currently Amended) The apparatus of claim 173, further comprising,  
select potential competitors for the offer to compete ~~evaluation~~, prior to providing the offer to compete.

179. (Currently Amended) The apparatus of claim 178, wherein selection for ~~an evaluation~~ the offer to compete is limited by qualification.

199. (Currently Amended) The apparatus of claim 173, wherein the ~~indication~~ acceptance of the offer to compete is configured as a request to issue an offer to compete.

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200. (Currently Amended) The apparatus of claim 173, wherein ~~none of the paired competitors~~ the first user and the second user may not view one another's creative works until the creative works are ready for ~~evaluation by an~~ providing to the audience.

201. (Currently Amended) The apparatus of claim 173, wherein ~~paired competitors~~ the first user and the second user have a limited time in which to provide creative works.

202. (Currently Amended) The apparatus of claim 173, wherein ~~paired competitors~~ the first user and the second user may employ feedback from audience members to update their creative work.

203. (Currently Amended) The apparatus of claim 173, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired at random.

204. (Currently Amended) The apparatus of claim 173, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired in a round-robin manner.

205. (Currently Amended) The apparatus of claim 173, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through hand-selection.

206. (Currently Amended) The apparatus of claim 173, wherein ~~competitors~~ the first user and the second user are ~~to be~~ paired through the issuance of an offer to compete and the acceptance of the offer to compete.

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217. (Currently Amended) The apparatus of claim 173, wherein the audience ~~members provide~~ provides feedback to paired competitors the first user and the second user.

219. (Currently Amended) The apparatus of claim [[218]] 173, wherein the winner is provided to [[an]] the audience.

222. (Currently Amended) The apparatus of claim [[220]] 173, wherein rankings are adjusted for creative works.

225. (Currently Amended) The apparatus of claim [[220]] 173, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on current rankings of the creative works.

226. (Currently Amended) The apparatus of claim 220, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on the format of the creative works.

227. (Currently Amended) The apparatus of claim 220, wherein ~~rankings~~ ranking the first user and the second user [[are]] is also based on criteria stored in a database.

271. (Currently Amended) The method of claim 1, wherein the ~~evaluation rules~~ voting parameters include a parameter to set a condition that the audience can vote for a first user specified number of days.

272. (Currently Amended) The method of claim 1, wherein the ~~evaluation rules~~ voting parameters include a parameter to set a condition that the audience can vote until a first user specified number of votes is reached.

273. (Currently Amended) The method of claim 1, wherein the audience ~~members include~~ includes any public persons.

274. (Currently Amended) The method of claim 1, wherein the audience ~~members include~~ includes a panel of judges.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The prior art, taken alone or in any combination, does not teach or fairly suggest:

- providing, via a processor, an offer to compete in a creative works competition by a first user, wherein the offer to compete includes parameters that specify a second user as a potential competitor, a permitted type of creative work to be evaluated in the competition, a permitted length of the creative works to be evaluated in the competition, a submission deadline for competitors to submit creative works, and voting parameters;
- receiving, via the processor, a creative work from the first user and the second user after determining: (a) that the creative works from the first user and the

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second user match the permitted type of creative work specified by the first user in the offer to compete, (b) that the creative works from the first user and the second user do not exceed the permitted length specified by the first user in the offer to compete, and (c) that the creative works from the first user and the second user were submitted before the submission deadline specified by the first user in the offer to compete;

- totaling, via the processor and in response to the voting parameters specified by the first user in the offer to compete being satisfied, votes for each creative work;
- updating a rating for the first user and the second user based on the following formula:

- $R_n = R_o + K ( W - ( 1 / ( 1 + 10^{D/S} ) ) )$ , wherein:
- $R_n$  represents the updated rating;
- $R_o$  represents a rating for the user before the creative works competition;
- $K$  represents a predetermined weighting factor that rewards more rating points to users with lower  $R_o$  values;
- $W$  represents the outcome of the creative works competition and rewards more rating points to a user for a win than for a tie, and more points for a tie than a loss;
- $D$  represents the absolute difference between  $R_o$  values for the first user and the second user; and
- $S$  represents a predetermined value that weights the difference between  $R_o$  values for the first user and the second user,

The closest prior art is Paul (US 2003/0171982), Foroutan (US 7,162,433), Jokipii (US 2003/0190960), and RapBattles.com.

Paul discloses a creative works tournament for rappers. However, Paul does not teach or fairly suggest all of the limitations recited above.

Foroutan discloses an interactive contest that provides content review, distribution, ranking, and access to automate creation and performance of contests among contestants. However, Foroutan does not teach or fairly suggest all of the limitations recited above.

Jokipii discloses online gaming leagues and tournaments with competitions among competitors in various tournament schemes where players are ranked and rated relative to one another. However, Jokipii does not teach or fairly suggest all of the limitations recited above.

RapBattles.com is a forum where members can compete in creative work competitions. However, RapBattles.com does not teach or fairly suggest all of the limitations recited above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEIL KARDOS whose telephone number is (571)270-3443. The examiner can normally be reached on Monday through Friday from 9 am to 5 pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Neil R. Kardos  
Primary Examiner  
Art Unit 3623

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